

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

V.

ALBERT EUGENE WHITE,

Defendant.

Case No. CR09-73-JCC

PROPOSED FINDINGS OF FACT AND DETERMINATION AS TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on January 8, 2013. The defendant appeared pursuant to a warrant issued in this case. The United States was represented by Seth Wilkinson, and defendant was represented by Paula Deutsch. Also present was U.S. Probation Officer Jerrod Akins. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on August 20, 2009, by the Honorable John C. Coughenour for Social Security Representative Payee Fraud. He received 15 months detention, and 36 months of supervised release.

On August 7, 2012, a violation report and request for summons was submitted reporting that Mr. White had violated his conditions of supervised release by failing to make payments towards

1 his restitution obligation. A supplemental violation report was also submitted to the Court
2 alleging that Mr. White further violated his conditions of supervised release by consuming
3 cocaine, obtained a loan without prior approval, and failed to submit a truthful and complete
4 monthly report. A second supplemental violation report was submitted to the Court reporting
5 further violations that included consuming cocaine on five occasions, possessing drug
6 paraphernalia, and associating with a person engaged in criminal activity. Mr. White appeared
7 before the Court on November 2, 2012, and was ordered to serve 21 days in custody followed by
8 12 months of supervised release. The Court imposed all previously ordered special conditions of
9 supervision, and also added the condition that he participate in 120 days location monitoring,
10 curfew component.

PRESENTLY ALLEGED VIOLATIONS

12 In a petition dated December 13, 2012, U.S. Probation Officer Jerrod Akins alleged that
13 defendant violated the following conditions of supervised release:

- 14 1. Consuming cocaine on or before December 4, 2012, in violation of standard
15 condition 7.
- 16 2. Associating with Caryl Hetland, a convicted felon, in violation of standard
17 condition 9.
- 18 3. Associating with Angelique Felix, a convicted felon, in violation of standard
19 condition 9.
- 20 4. Associating with Elizabeth Brown, a convicted felon, in violation of standard
21 condition 9.
- 22 5. Failing to follow the instructions of the probation officer, in violation of standard
23 condition 3.

1 **FINDINGS FOLLOWING EVIDENTIARY HEARING**

2 Defendant admitted the above violations, waived any hearing as to whether they occurred,
3 and was informed the matter would be set for a disposition hearing on January 18, 2013 at 9:00
4 a.m. before District Judge John C. Coughenour.

5 **RECOMMENDED FINDINGS AND CONCLUSIONS**

6 Based upon the foregoing, I recommend the court find that defendant has violated the
7 conditions of his supervised release as alleged above, and conduct a disposition hearing.

8 DATED this 8th day of January, 2013.

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10 
11 BRIAN A. TSUCHIDA
12 United States Magistrate Judge